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HOUSE BILL 673

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

Gail C. Beam

AN ACT

RELATING TO HIGHER EDUCATION; PROVIDING A SCHOLARSHIP PROGRAM  
FOR CONFLICT VETERANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 9-22-14 NMSA 1978 (being Laws 2004,  
Chapter 19, Section 14) is amended to read:

"9-22-14. STATE BENEFITS DIVISION.--The state benefits  
division shall:

A. provide oversight of veterans' service  
organizations;

B. develop or coordinate veterans' programs and  
outreach, including transitional living, housing, health care  
and economic development; and

C. determine eligibility for, conduct or oversee  
state-funded veterans' services and benefits, including

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1 determining eligibility for veteran property tax exemptions,  
2 hunting and fishing licensing and motor vehicle license plate  
3 programs; managing the [~~Vietnam~~] conflict veterans and children  
4 of deceased veterans scholarship programs; and overseeing the  
5 state funeral honors and burial program and state veterans'  
6 cemeteries, monuments and museums."

7 Section 2. Section 21-21E-1 NMSA 1978 (being Laws 1985,  
8 Chapter 171, Section 1, as amended) is amended to read:

9 "21-21E-1. FUND CREATED--ADMINISTRATION--PURPOSE.--

10 A. There is created in the state treasury the  
11 "[~~Vietnam~~] conflict veterans' scholarship fund". The fund  
12 shall consist of all money appropriated to the fund and any  
13 grants, gifts and bequests made to the fund. Earnings of the  
14 fund shall be credited to the fund. Money in the fund is  
15 appropriated to the commission on higher education in order to  
16 carry out the provisions of Subsection B of this section.

17 [~~Any~~] Money in the fund [~~that was the result of grants, gifts~~  
18 ~~or bequests~~] shall not revert to [~~the general~~] any other fund  
19 at the end of any fiscal year.

20 B. The commission on higher education shall  
21 administer the fund and shall make disbursements from the fund  
22 to reimburse educational institutions under the exclusive  
23 control of the state for any tuition payments, required student  
24 fees and book allowances and to non-state colleges in New  
25 Mexico an amount equal to the highest tuition, required student

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1 fees and book allowances at a state institution for [~~Vietnam~~]  
2 conflict veterans who are residents of New Mexico and are  
3 undergraduate post-secondary students, including students who  
4 have already received a baccalaureate degree or post-secondary  
5 students enrolled in a program of study leading to a master's  
6 degree [~~attending educational institutions pursuant to Article~~  
7 ~~9, Section 14 of the constitution of New Mexico and~~] who are in  
8 compliance with the institution's satisfactory academic  
9 progress requirements. The commission may adopt rules  
10 [~~regulations and procedures~~] as necessary or appropriate to  
11 implement the provisions of [~~the act~~] Chapter 21, Article 21E  
12 NMSA 1978. A financial aid officer may exercise professional  
13 judgment when special circumstances exist to adjust cost of  
14 attendance or expected family contribution or to modify other  
15 factors that make the program responsive to a student's special  
16 financial circumstances and for which documentation exists in  
17 the student's file within the parameters authorized for this  
18 program.

19 C. As used in this section and Section 21-21E-2  
20 NMSA 1978, "conflict veteran" means an individual who served in  
21 the armed forces of the United States on active duty in an  
22 armed conflict under orders of the president, including the  
23 following conflicts:

24 (1) World War II;

25 (2) the Korean conflict;

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1                   (3) the Vietnam conflict;

2                   (4) the Grenada conflict;

3                   (5) the Persian gulf conflict;

4                   (6) the United Nations mission in Bosnia;

5                   (7) the Afghanistan conflict; or

6                   (8) the Iraqi freedom conflict."

7                   Section 3. Section 21-21E-2 NMSA 1978 (being Laws 1985,  
8 Chapter 171, Section 2, as amended) is amended to read:

9                   "21-21E-2. DISBURSEMENTS FROM FUND.--

10                   A. A [~~Vietnam~~] conflict veteran may apply to the  
11 veterans' services department for a scholarship. The  
12 department shall determine the eligibility of an applicant and  
13 certify approved applicants to the commission on higher  
14 education.

15                   B. The commission on higher education shall pay by  
16 voucher to the appropriate educational institution an amount  
17 not exceeding the amount of the scholarship for an approved  
18 [~~Vietnam~~] conflict veteran.

19                   C. Money in the conflict veterans' scholarship fund  
20 shall be allocated in the order that applications are received  
21 and approved."

22                   Section 4. TEMPORARY PROVISION--FUND TRANSFER--  
23 RESTRICTIONS.--On the effective date of this act, the balance  
24 of the Vietnam veterans' scholarship fund shall be transferred  
25 to the conflict veterans' scholarship fund; provided, however,

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1 that any amount transferred attributable to grants, gifts or  
2 bequests shall be expended only to benefit Vietnam veterans.

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